

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAHTIANA JADE BROWN,

Plaintiff,

v.

LUCIDWORKS, et al.

Defendants.

No. 2:25-cv-00607-DC-CKD

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S EMERGENCY REQUEST TO
HALT STATE PROCEEDINGS

(Doc. Nos. 3, 9, 23)

Plaintiff Tahtiana Jade Brown is proceeding *pro se* in this civil action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 21, 2025, Plaintiff filed a complaint initiating this action in this court. (Doc. No. 1.) On February 24, 2024, Plaintiff filed a motion for temporary restraining order and preliminary injunction to enjoin the Workers' Compensation Appeals Board ("WCAB") from proceeding with any state administrative hearing on her appeal because her case has been "removed" to federal court. (Doc. No. 3.) On February 25, 2025, the undersigned referred Plaintiff's motion to the assigned magistrate judge for the issuance of findings and recommendations. (Doc. No. 5.)

On February 26, 2025, the assigned magistrate judge issued findings and recommendations recommending that Plaintiff's motion for a temporary restraining order and

1 preliminary injunction be denied. (Doc. No. 9.) Specifically, the magistrate judge found
2 Plaintiff's motion was procedurally defective, failed to demonstrate she is likely to suffer
3 irreparable harm in the absence of a court order, and failed to demonstrate a likelihood of success
4 on the merits. (*Id.* at 3–6.) The findings and recommendations were served on the parties and
5 contained notice that any objections thereto were to be filed within fourteen (14) days from the
6 date of service. (*Id.* at 6–7.) To date, Plaintiff has not filed objections to the findings and
7 recommendations.

8 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the
9 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
10 court finds the findings and recommendations to be supported by the record and by proper
11 analysis.

12 On April 8, 2025, Plaintiff filed an emergency request to halt state proceedings
13 (“Emergency Request”). (Doc. No. 23.) Like Plaintiff's motion for temporary restraining order
14 and preliminary injunction, the Emergency Request also seeks to enjoin WCAB from proceeding
15 with state administrative proceedings related to Plaintiff's state action. In her request, Plaintiff
16 notes the WCAB scheduled a hearing in her underlying state case for April 21, 2025. (*Id.* at 2.)
17 Plaintiff asserts the setting of such hearing violates 28 U.S.C. § 1446 because she removed her
18 state case to this court. (*Id.*) Despite Plaintiff's characterization of this action, Plaintiff has not
19 removed her WCAB case to this court. Rather, this action is before the court pursuant to
20 Plaintiff's filed complaint. (*See* Doc. No. 1.) Moreover, as the magistrate judge correctly
21 identified, 28 U.S.C. § 1445(c) provides “[a] civil action in any State court arising under the
22 workmen's compensation laws of such State may not be removed to any district court of the
23 United States.” (Doc. No. 9 at 5.)

24 Plaintiff's Emergency Request is denied for the same reasons detailed in the findings and
25 recommendations. Specifically, Plaintiff fails to establish she is likely to suffer irreparable harm
26 in the absence of an emergency order and fails to establish a likelihood of success on the merits.

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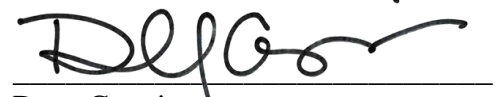
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Accordingly:

1. The findings and recommendations filed February 26, 2025 (Doc. No. 9), are ADOPTED in full;
2. Plaintiff's motion for a temporary restraining order and preliminary injunction (Doc. No. 3) is DENIED;
3. Plaintiff's emergency request to halt state proceedings (Doc. No. 23) is DENIED; and
4. This case is referred back to the assigned magistrate judge for further pretrial proceedings.

IT IS SO ORDERED.

Dated: April 11, 2025


Dena Coggins
United States District Judge